

**IN THE DISTRICT COURT OF THE STATE OF DELAWARE**

**IN AND FOR COUNTY**

**MARLAYNA G. TILLMAN,**

Plaintiff,

v.

**THE PEPSI BOTTLING GROUP,  
INC., and TEAMSTERS LOCAL  
UNION 830,**

Defendants.

C.A. No.: 04-1314(SLR)

**MOTION OF ATTORNEY BARBARA H. STRATTON  
TO WITHDRAW AS LOCAL COUNSEL**

NOW COMES, Barbara H. Stratton, Esq. of the lawfirm of Knepper & Stratton, Local Counsel for Plaintiff in the above-captioned matter, to file the within Motion to Withdraw as Local Counsel pursuant to Local District Court Civil Rule 83.7, and in support thereof states as follows:

1. On or about July 12, 2006 I was retained by Lead Counsel for Plaintiff, J. Stephen Woodside, Esq., to serve as Local Counsel for Plaintiff in the above-captioned matter.
2. Pursuant to a written agreement, I was retained to serve as Local Counsel on an hourly basis. The written fee agreement specified that billings would be rendered on a monthly basis to Attorney Woodside and that, "Knepper & Stratton reserves the right to withdraw from the case should payment of invoices not be kept current".
3. Payment of invoices has not been kept current.
4. As of February 15, 2007, the balance due is \$4,951.13. Of that amount, there is a past due balance of \$4,059.03.

5. Local Counsel has been repeatedly assured by Attorney Woodside that the account would be brought current. However, it has not been.

6. Local Counsel has provided notice to Attorney Woodside frequently via correspondence, e-mails, and in telephone conversations that a Motion to Withdraw would be filed if the account past due balance was not paid.

7. Local Counsel provided Plaintiff, Marlayna Tillman, a copy of this Motion by letter dated February 15, 2007 sent both regular and certified mail to her last known address at 175 Willoughby Street, Unit 11-H, Brooklyn, NY 11201.

WHEREFORE, Barbara H. Stratton Esq. respectfully requests that her Motion to Withdraw as Local Counsel be granted. A proposed form of Order is attached.

KNEPPER & STRATTON

By: Barbara H. Stratton  
Barbara H. Stratton, Esq.  
1228 North King Street  
Wilmington, DE 19801  
(302) 658-1717  
DE Bar I.D. No.: 2785  
ATTORNEY FOR PLAINTIFF

DATED: 2/15/07

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**ORDER**

AND NOW this \_\_\_\_ day of \_\_\_\_\_, 2007, upon consideration of the Motion to Withdraw filed by Barbara H. Stratton, Local Counsel for Plaintiff, IT IS HEREBY GRANTED. Plaintiff shall be given thirty (30) days from the date hereof to enter the appearance of a new attorney for compliance with the Local Rules.

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Judge Sue L. Robinson

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MARLAYNA G. TILLMAN,	:	C.A. No.: 04-1314(SLR)
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
THE PEPSI BOTTLING GROUP, INC.,	:	
and TEAMSTERS LOCAL UNION	:	
830,	:	
	:	
Defendants.	:	

**CERTIFICATE OF SERVICE**

I, Barbara H. Stratton, hereby certify that on February 26, 2007, I caused a true and correct copy of the Motion of Attorney Barbara H. Stratton to Withdraw as Local Counsel to be served upon the following, by electronic filing and first class United States Mail, postage prepaid:

Lucretia Clemons, Esquire  
BALLARD SPAHR ANDREWS & INGERSOLL, LLP  
51<sup>ST</sup> Floor  
1735 Market Street  
Philadelphia, PA 19103  
(Attorney for The Pepsi Bottling Group, Inc.)

Marc L. Gelman, Esquire  
JENNINGS SIGMUND, P.C.  
510 Walnut Street  
Philadelphia, PA 19106  
(Attorney for Local 830)

William M. Kelleher, Esquire  
Ballard Spahr Andrews & Ingersoll, LLP  
919 Market Street, 17<sup>th</sup> Floor  
Wilmington, DE 19801  
(Attorney for The Pepsi Bottling Group, Inc.)

Clifford B. Hearn, Jr., Esquire  
Odessa Professional Park, Suite 240  
P.O. Box 521  
Odessa, DE 19730

J. Stephen Woodside, Esq.  
J. STEPHEN WOODSIDE, P.C.  
One Montgomery Plaza  
425 Swede Street, Suite 605  
Norristown, PA 19401

As reflected in the Motion, a true and correct copy of the Motion was served on Plaintiff Marlayna Tillman both by regular and certified mail, on February 15, 2007 at her last known address at 175 Willoughby Street, Until 11-H, Brooklyn, NY 11201.

KNEPPER & STRATTON

/s/ Barbara H. Stratton  
Barbara H. Stratton, Esq.  
1228 North King Street  
Wilmington, DE 19801  
(302) 658-1717  
Delaware Bar ID#2785  
bhs@knepperstratton.net  
Attorney for Plaintiff

Dated: February 26, 2007